

**ST. JUDE MEDICAL CENTER
MEDICAL STAFF BYLAWS
ARTICLE III PROFESSIONAL CODE OF CONDUCT**

3.1 MEDICAL STAFF RESPONSIBILITIES

The purpose of the Professional Code of Conduct is to create a work environment that fosters respectful and constructive relationships among and between healthcare professionals, patients and staff.

All Medical Staff members and Advance Practice Allied Health professionals (“practitioners”) practicing in the Hospital will treat others with respect, courtesy, and dignity and conduct themselves in a professional and cooperative manner in accordance with the following principles:

- (a) Physicians ensure the continuity of care for their patients.
- (b) Patients and families need to receive timely and comprehensible information to enable them to make informed decisions.
- (c) Physicians communicate with other health care team members as professional peers.
- (d) Physicians extend the same respect to nurses and other health care professionals that they themselves expect to receive.
- (e) Personal conduct, whether verbal or physical, that negatively affects or that potentially may negatively affect patient care constitutes disruptive behavior. (This includes but is not limited to conduct that interferes with one’s ability to work with other members of the health care team. However, criticism that is offered in good faith with the aim of improving patient care should not be construed as disruptive behavior.)
- (f) The practitioner provides his/her patients with care at the generally recognized professional level of quality and efficiency established by the Medical Staff and Board of Trustees.
- (g) Physicians retain responsibility within their area of professional competence for the continuous care and supervision of each patient in the hospital for whom he/she is providing services, or arrange for a suitable cross coverage to assure such care and supervision.
- (h) Practitioners abide by and comply with all requirements set forth in the Medical Staff Bylaws and Rules and Regulations and Policies.

- (i) Physicians prepare and complete in a timely fashion the medical and other required records for all patients they admit or in any way provide care to in the hospital.
- (j) Physicians abide by the lawful ethical principles of their profession.
- (k) When requesting a consultation, the attending physician is ultimately responsible for the coordination of the consultation.

3.2 COLLEGIAL & EDUCATIONAL INTERVENTION

This Article outlines collegial and educational efforts that can be used by Medical Staff leaders to address inappropriate conduct. The goal of these efforts is to arrive at voluntary, responsive actions by the individual to resolve the concerns that have been raised, and thus avoid the necessity of proceeding through the disciplinary process outlined in the Medical Staff Bylaws.

3.3 HARASSMENT PROHIBITED

Harassment by a medical staff member against any individual (e.g., against another medical staff member, advance practice allied health staff, house staff, hospital employee or patient) on the basis of age race, creed, religion, color, national origin, ancestry, physical disability, mental disability, medical disability, marital status, sex or sexual orientation shall not be tolerated.

“Verbal harassment” is derogatory comments or slurs with regard to one’s sex or sexual orientation, as well as unwelcome sexual advances.

“Physical harassment” is unwanted touching of another person, impeding or blocking movement or any physical interference with normal work, or movement when directed at an individual and originated specifically because of a person’s sex or sexual orientation.

“Sexual harassment” is unwelcome verbal or physical conduct of a sexual or gender-based nature which may include verbal harassment (such as epithets, derogatory comments or slurs), physical harassment (such as unwelcome touching, assault, or interference with movement or work), and visual harassment (such as the display of derogatory cartoons, drawings, or posters). Sexual harassment includes unwelcome advances, requests for sexual favors, and any other verbal, visual, or physical conduct of a sexual nature when (1) submission to or rejection of this conduct by an individual is used as a factor in decisions affecting hiring, evaluation, retention, promotion, or other aspects of employment; or (2) this conduct substantially interferes with the individual’s employment or creates and/or perpetuates an intimidating, hostile, or offensive work environment. Sexual harassment

also includes conduct which indicates that employment and/or employment benefits are conditioned upon acquiescence in sexual activities.

All allegations of sexual harassment shall be immediately investigated by the medical staff and, if confirmed, will result in appropriate corrective action, from reprimands up to and including termination of medical staff privileges or membership, if warranted by the facts.

3.4 ORDERLY OPERATIONS

In dealing with all incidents of inappropriate conduct, the protection of patients, employees, physicians, and others in the Hospital and the orderly operation of the Medical Staff and Hospital are paramount concerns. Complying with the law and providing an environment free from sexual harassment are also critical.

3.5 ACCEPTABLE CONDUCT

Acceptable medical staff member conduct is not restricted by these bylaws and includes, but is not limited to:

- (a) advocacy on medical matters;
- (b) making recommendations or criticism intended to improve care;
- (c) exercising rights granted under the medical staff bylaws, rules and regulations, and policies;
- (d) fulfilling duties of medical staff membership or leadership;
- (e) engaging in legitimate business activities that may or may not compete with the hospital.

3.6 EXAMPLES OF INAPPROPRIATE CONDUCT

To aid in both the education of Medical Staff members and the enforcement of this Article, examples of "inappropriate conduct" include, but are not limited to:

- (a) threatening or abusive language directed at patients, nurses, Hospital personnel, AHP, or other physicians (e.g., belittling, berating, and/or threatening another individual);
- (b) degrading or demeaning comments regarding patients, families, nurses, physicians, Hospital personnel, or the Hospital;
- (c) inappropriate physical contact with another individual that is threatening or intimidating;

- (d) inappropriate comments about the quality of care being provided by the Hospital, another Medical Staff member, or any other individual that are made outside of appropriate Medical Staff and/or administrative channels;
- (e) inappropriate medical record entries concerning the quality of care being provided by the Hospital or any other individual or are otherwise critical of the Hospital, other Medical Staff members or personnel;
- (f) refusal to abide by Medical Staff requirements as delineated in the Medical Staff Bylaws and Rules and Regulations (including, but not limited to, professional conduct, emergency call issues, response times, medical record keeping, and other patient care responsibilities, failure to participate on assigned committees, and an unwillingness to work cooperatively and harmoniously with other members of the Medical and Hospital Staffs);
- (g) inappropriate language, including but not limited to:
 - 1. Use of profanity or obscenity or similarly offensive language and vulgar or obscene expressions or gestures while in the Hospital and/or while speaking with nurses or other Hospital personnel, physicians or patients;
 - 2. Disrespectful language that impugns an individual's race, creed color, national origin, religious, or political beliefs;
 - 3. Criticism of an individual in front of patients or other healthcare professionals;
- (h) Intimidating behaviors such as slamming or throwing of objects, verbal abuse, (yelling, shouting, etc), physical aggressiveness, and sexual harassment;
- (i) Lack of timely and appropriate response to requests and concerns;
- (j) Retaliation against anyone who has reported or assisted in investigating allegations of disruptive or inappropriate behavior; or
- (k) carrying a gun or other weapon in the hospital.

3.7 GENERAL GUIDELINES AND PRINCIPLES

Issues of employee conduct will be dealt with in accordance with the Hospital's Human Resources Policies. Issues of conduct by members of the Medical Staff will be addressed as outlined in the General Rules & Regulations of the Medical Staff.